

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

AUG 24 2006

JOHN F. CORCORAN, CLERK
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**HOWARD WHITAKER,
Reg. #10996-007,
Petitioner,**) DEPUTY
v.)
**TERRY O'BRIEN, WARDEN,
UNITED STATES PAROLE
COMMISSION,
Respondents.**) Civil Action No. 7:06CV00048
)) ORDER
)) By: Hon. James C. Turk
)) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that the motion to dismiss is hereby **GRANTED**, the petition for habeas corpus, pursuant to 28 U.S.C. § 2241, is hereby **DISMISSED**, and the action stricken from the active docket of the Court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to Petitioner and to counsel of record for the Respondents.

ENTER: This 30th day of August, 2006.

James C. Team
Senior United States District Judge